

The Environmental Permitting (England and Wales) Regulations 2016

The Environmental Protection (England) (Extension of Limited Lifetime Derogation End Date) (Hatton) Direction 2023

The Secretary of State, in exercise of powers conferred by regulation 62(1) and (2) of the Environmental Permitting (England and Wales) Regulations 2016 gives the following Direction –

1. Citation, commencement and application

(1) This Direction may be cited as the Environmental Protection (England) (Extension of Limited Lifetime Derogation End Date) (Hatton) Direction 2023 and shall come into force on 31 December 2023.

(2) This Direction applies to England only.

2. Interpretation

In this Direction –

“the 2016 Regulations” means the Environmental Permitting (England and Wales) Regulations 2016¹;

“the Agency” means the Environment Agency as in regulation 2 of the 2016 Regulations;

“the Directive” means the Industrial Emissions Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) as read in accordance with paragraph 6 of Schedule 1A to the 2016 Regulations;

“approval” means approval of the Secretary of State;

“Hatton” means the back-up gas turbine compression units known as Hatton Compressor Station Cab B, and Hatton Compressor Station Cab C;

“operates” means the running of either or both of the back-up gas turbine compression units comprising Hatton;

“permit holder” means the holder of a permit numbered UP3333LL for Hatton granted under the 2016 Regulations for the purpose of operating gas compression units which are subject to a limited lifetime derogation pursuant to Article 33 of the Directive.

¹ S.I. 2016/1154

3. Limited lifetime derogation extension

Without prejudice to any other permit conditions to which the permit holder is subject, the Secretary of State directs the Agency to refrain from taking enforcement action against the permit holder without first seeking approval where –

(a) the permit holder operates Hatton after 31 December 2023, in breach of a permit condition designed to ensure compliance with Article 33(1) of the Directive by requiring the operation of Hatton to end by that date; and

(b) that breach occurs on or before 30 September 2024.

Signed by the authority of the Secretary of State for Environment, Food and Rural Affairs.

A handwritten signature in black ink, appearing to read 'J. Robinson', with a stylized flourish at the end.

Jonathan Robinson

Deputy Head, Air Quality and Industrial Emissions

12 December 2023